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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JONATHAN VENEGAS,

Plaintiff,

vs.

CHEF RAINER, LLC, a Nevada Limited  
Liability Company; EMMITT'S LAS VEGAS,  
LLC, a Nevada Limited Liability Company;  
TRILOGY VEGAS, LLC, a Nevada Limited  
Liability Company; RAINER SCHWARZ, an  
individual,

Defendant.

CASE NO. 2:24-cv-01541-GMN-NJK

**DISCOVERY PLAN AND  
SCHEDULING ORDER**

**SUBMITTED IN COMPLIANCE WITH  
LR 26-1(b)**

**DISCOVERY PLAN AND SCHEDULING ORDER IN COMPLIANCE WITH LR 26-1(b)**

1. Todd Kennedy for Chef Rainer, LLC and Michael P. Balaban for Plaintiff participated in the meeting required under Fed. R. Civ. P. 26(f) and which was held on November 5, 2024. The parties were represented by their respective counsel. Pursuant to Fed. R. Civ. P. 26(f), the parties hereby stipulate to the following discovery plan and scheduling order:

2. **Date that First Defendant Appeared:** September 17, 2024.

3. **Date to Exchange Initial Disclosures:** November 22, 2024 by stipulation of the parties in accordance with Fed. R. Civ. P. 26(a)(1)(C).

4. **Discovery Plan:**

**A. Methods of Discovery:**

The parties propose that they serve written discovery requests and take depositions, as follows:

i. Maximum Number of Interrogatories by Each Party: Standard, as permitted under Fed. R. Civ. P. 33(a)(1).

ii. Time to Respond to Interrogatories: As permitted by Fed. R. Civ. P. 33(b)(2).

iii. Maximum Number of Requests for Admissions: No specific limit.

iv. Time to Respond to Requests for Admissions: As permitted by Fed. R. Civ. P. 36(a)(3).

v. Maximum Number of Depositions by Each Party: As permitted by Fed. R. Civ. P. 30(a).

vi. Limit on Length of Depositions: As permitted by Fed. R. Civ. P. 30(d)(1).

**B. Subjects of Discovery:**

The parties propose that discovery be conducted on all matters as allowed by the Rules of Civil Procedures.

5. **Discovery Cut-Off Date:** The proposed discovery cut-off shall be **March 17, 2025** which is 181 days (180 days is a Sunday) after the first party appeared in accordance with LR 26-1(b)(1).

6. **Amendment of the Pleadings and Adding Parties:** The parties propose a deadline of **December 17, 2024** which is 90 days before the discovery cut-off in accordance with LR 26-

1 1(b)(2).

2 7. **Fed.R.Civ.P. 62(a)(2) Disclosures (Experts):** The parties propose that  
3 disclosure of experts shall proceed according to Fed.R.Civ.P. 26(a)2:

4 i. The parties propose a deadline of **January 16, 2025** for expert witness  
5 disclosures, which is 60 days before the discovery cut-off date in accordance with LR 26-1(b)(3);

6 ii. The parties propose a deadline of **February 18, 2025** for rebuttal expert  
7 witness disclosures, which is 28 days (30 days is a Saturday) the discovery cut-off in accordance  
8 with LR 26-1(b)(3) and Fed. R. Civ. P. 26(a)(1)(C).

9 8. **Dispositive Motions:** The parties propose a deadline of **April 16, 2025**, to file  
10 dispositive motions, which does not exceed 30 days after the discovery cut-off date that LR 26-  
11 1(b)(4) presumptively set for filing dispositive motions.

12 9. **Pre-Trial Order:** The parties propose that the parties shall file their joint pre-trial  
13 order on **May 16, 2025** which is 30 days after the dispositive motion deadline in accordance with  
14 LR 26-1(b)(5) and Fed. R. Civ. P. 6(a)(1)(C). In the event dispositive motions are filed, the date  
15 for filing the Joint Pre-Trial Order shall be suspended until thirty (30) days *after* decision of the  
16 dispositive motions or further order of the Court, in accordance with LR 26-1(b)(5).

17 10. **Fed.R.Civ.P. 26(a)(3) Disclosures:** The parties propose that the disclosures  
18 required by Fed.R.Civ.P. 26(a)(3) and any objections thereto shall be included in the Pre-Trial  
19 Order.  
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21 11. **Alternative Dispute Resolution:** The Parties certify that they have talked about  
22 alternative dispute resolution and will talk in the future about alternative dispute resolution as  
23 needed.

24 12. **Alternative Forms of Case Disposition:** The parties certify that they have  
25 considered consent to trial by a magistrate court and the use of the Short Trial Program but have  
26 declined to elect any alternative form of disposition at the present time.  
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1           13.     **Electronic Evidence:** The parties have not reached any stipulation at this time but  
2 will work in good faith to provide discovery, to the extent possible, in an electronic format  
3 compatible with the court's electronic jury evidence display system.

4           14.     **Extensions or Modifications of the Discovery Plan and Scheduling Order:** In  
5 accordance with Local Rule 26-3, any stipulation or motion for modification or extension of a  
6 deadline in this discovery plan and scheduling order must be made no later than 21 days prior to  
7 the subject deadline.

8           15.     **Reservation of Rights:** The Parties reserve their rights and this discovery plan  
9 shall not be deemed to constitute a waiver of their rights concerning the filing of any motion.

10          16.     **Discovery Disputes:** All discovery disputes in this case shall be governed by the  
11 provisions of Local Rule 26-6. The parties have discussed the possibility of submitting a  
12 Protective Order, should one become necessary. The parties agree to attempt in good faith to  
13 resolve all discovery disputes on their own prior to seeking the Court's intervention.

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